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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,022	12/26/2001	Minoru Itou	SIC-01-008	7830
29863	7590	05/19/2004	EXAMINER	
DELAND LAW OFFICE P.O. BOX 69 KLAMATH RIVER, CA 96050-0069			WILLIAMS, THOMAS J	
			ART UNIT	PAPER NUMBER
			3683	

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/033,022

Applicant(s)

ITOU, MINORU

Examiner

Thomas J. Williams

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MLH

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7-10,12,16-20,27 and 28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-20 is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7-10,12,27 and 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Acknowledgment is made in the receipt of amendment D filed February 6, 2004.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 5, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 4,823,915 to Nagano in view of EP 1 035 008 to Takizawa et al. and in view of US 2,892,624 to Keysor.

Re-claims 1, 27 and 28, Nagano teaches a connecting apparatus for a control cable having an inner wire 1 that slides within an outer casing 2, comprising: a cable sleeve 4 receives the outer casing of the control cable; a guide 3 has first end portion 31 and a second end portion, the guide supports the cable sleeve, the cable sleeve moves toward the first end portion and the second end portion; the first end portion 31 of the guide includes a mounting portion having an external threaded surface 32; a biasing device (spring 5) biases the cable sleeve toward the second end portion of the guide, the spring is disposed between the guide and the cable sleeve.

However, Nagano fails to teach the spring surrounding a portion of the outer casing of the control cable, wherein the spring is disposed in an annular space formed by a spring sleeve on the cable sleeve.

Takizawa et al. teaches a connecting apparatus for a control cable having a cable sleeve accommodating an outer casing of the cable. A spring, for biasing the cable sleeve, surrounds

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the outer casing of the cable. The spring sits in an annular space formed by a spring sleeve of the cable sleeve. It would have been obvious to one of ordinary skill in the art to have replaced the cable sleeve of Nagano with the cable sleeve taught by Takizawa et al., thus reducing the overall length of the connecting apparatus.

The cable sleeves of Nagano and Takizawa et al. are considered functional equivalents. The sleeve of Takizawa et al. would enable one to locate the spring around the cable sleeve and thus reduce the overall required length of the guide. This will reduce materials and manufacturing costs.

Takizawa et al. teaches an annular surface formed on the cable sleeve for seating the spring (figure 15). However, Nagano as modified by Takizawa et al. fails to teach the surface as having an annular space formed therein for receiving a portion of the spring. Keysor teaches a seating element 28 for a spring, wherein an annular space 30 is formed within the seat itself for receiving a portion of the spring 20. It would have been obvious to one of ordinary skill in the art to have provided the cable sleeve of Nagano as modified by Takizawa et al. with an annular space for receiving the spring as taught by Keysor, thus providing an easy means by which to center the spring relative to the cable sleeve.

Re-claim 4, the second end portion receives the outer casing of the control cable.

Re-claim 5, the cable sleeve is disposed in the guide, a lid 6 at the second end portion retains the cable sleeve within the guide.

4. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano in view of Takizawa et al. and Keysor as applied to claim 1 above, and further in view of US 4,066,147 to Toyomoto.

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Re-claims 7 and 8, Nagano fails to teach the cable connecting apparatus mounted to a brake lever bracket comprising a pivoted brake lever. Toyomoto teaches a cable connecting apparatus mounted to a brake lever bracket comprising a pivoted brake lever. It would have been obvious to one of ordinary skill in the art to have utilized the connecting apparatus of Nagano at a location of a brake lever bracket comprising a pivoted brake lever as taught by Toyomoto, thus providing an adjustable cable connecting apparatus nearer the operator.

Re-claims 9 and 10, the second end portion of the guide receives the control cable; the cable sleeve is disposed in the guide, a lid 6 retains the cable sleeve within the guide.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano in view of Takizawa et al. and Keysor as applied to claim 1 above, and further in view of US 4,693,137 to Deligny.

Nagano fails to teach a bellows at the second end portion of the guide. Deligny teaches a connection apparatus for a control cable with a bellows that seals the device preventing the ingress of foreign matter, see column 3 lines 35-40. It would have been obvious to one of ordinary skill in the art to have provided the second end portion of the guide and connecting apparatus of Nagano with a bellows as taught by Deligny, thus preventing entry of foreign material into the connecting apparatus.

***Allowable Subject Matter***

6. Claims 16-20 are allowed.

7. The following is a statement of reasons for the indication of allowable subject matter: JP 04002588, 09048383, and 2000238686 each teach a connection apparatus having connecting member connecting a portion of first cable with a portion of a second cable. However, the prior

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art of record fails to anticipate or render obvious a play confirmation means that allows a play of at least on of a first outing casing, second outer casing, third outer casing, or fourth outer casing to be visually confirmed. The casings of the prior art are held stationary against a housing structure.

***Response to Arguments***

8. Applicant's arguments with respect to claims 1, 4, 5, 7-10, 12 and 27 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Thomas Williams whose telephone number is (703) 305-1346.

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The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder, can be reached at (703) 308-3421. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

TJW

May 12, 2004

THOMAS WILLIAMS  
PATENT EXAMINER

*Thomas Williams*  
Au 3683  
5-12-04